

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

LEE ROY J. STANSBERRY,

Plaintiff,

v.

ENTRY DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

Case No. 3:23-cv-00165-JMK

Case No. 3:23-cv-00212-JMK

ORDER OF DISMISSAL

Pending before the Court are the two above-captioned civil actions filed by Lee Roy J. Stansberry, Jr., a self-represented prisoner ("Plaintiff"). On October 18, 2023, the Court notified Plaintiff his filings were deficient and provided him 30 days to pay the filing fee or file an application to waive payment.¹ On October 18, 2023, the Court's Notice of Electronic Filing ("NEF") reassigning Case No. 3:23-cv-00212 was returned as undeliverable.² On October 26, 2023, the Court's Order re Deficient Filings also was returned as undeliverable with a notation that it was refused by Mr. Stansberry.³ To date, Mr. Stansberry has not paid the fee or filed an application to waive payment.

¹ Case No. 3:23-cv-00165-JMK, Docket 3; Case No. 3:23-cv-00212-JMK, Docket 4.

² Case No. 3:23-cv-00212-JMK, Docket 5.

³ Case No. 3:23-cv-00165-JMK, Docket 3.

The Court takes judicial notice⁴ that Mr. Stansberry has filed multiple cases with this Court that also have not included the filing fee or an application to waive prepayment of the filing fee.⁵ The Court has received multiple returned Notices and Orders as refused, undeliverable mail.⁶ Therefore, in the interests of judicial economy, the Court has consolidated the two cases before Judge Joshua M. Kindred into one order.

The Court must dismiss these cases without leave to amend, but without prejudice should Mr. Stansberry seek to properly file new complaints and pay the filing fee or file the application to waive prepayment for each new complaint.

⁴ Judicial notice is the “court’s acceptance, for purposes of convenience and without requiring a party’s proof, of a well-known and indisputable fact; the court’s power to accept such a fact.” Black’s Law Dictionary (11th ed. 2019). A court can take judicial notice of its own files and records. Fed. R. Evid. 201.

⁵ See *Stansberry v. Enter State of Alaska Govs Dunleavy*, Case No. 3:22-cv-214-SLG, Docket 2 (Returned/Undeliverable Mail 10/14/2022), Docket 3 (Deficient Filing Order 10/17/2022), Docket 4 (Returned/Undeliverable Mail 11/01/2022); *Stansberry v. Entry U.S. District Court*, Case No. 3:22-cv-00223-JMK, Docket 2 (Returned/Undeliverable Mail 10/24/2022), Docket 3 (Deficient Filing Order 11/02/2022), Docket 4 (Returned/Undeliverable Mail 11/15/2022); *Stansberry v. Entry U.S. District Court*, Case No. 3:22-cv-00231-JMK, Docket 2 (Deficient Filing Order 11/02/2022), Docket 3 (Returned/Undeliverable Mail 11/15/2022); *Stansberry v. Enter Alaska Dept of Revenue*, Case No. 3:22-cv-211-RRB; Docket 2 (Returned/Undeliverable Mail 10/17/2022), Docket 3 (Deficient Filing Order 11/03/2022), Docket 4 (Returned/Undeliverable Mail 11/15/2022); *Stansberry v. Entry U.S. District Court Magistrate Judge John D. Roberts*, 3:22-cv-00257-SLG, Docket 2 (Returned/Undeliverable Mail 11/30/2022); Docket 3 (Dismissal for Deficient Filing 12/15/2022), Docket 5 (Returned/Undeliverable Mail 01/03/2023); *Stansberry v. Entry Federal Supreme Court*, Case No. 3:22-cv-278-JMK, Docket 2 (Returned/Undeliverable Mail 12/28/2022), Docket 3 (Dismissal for Deficient Filing 01/03/2023), Docket 5 (Returned/Undeliverable Mail 01/17/2023).

⁶ *Id.*

In light of the foregoing, IT IS ORDERED that these actions are DISMISSED without prejudice. The Clerk of Court is directed to enter a final judgment in each case accordingly.

DATED this 13th day of December, 2023, at Anchorage, Alaska.

/s/ Joshua M. Kindred
JOSHUA M. KINDRED
UNITED STATES DISTRICT JUDGE